



## When is overtaking and passing on the right permitted?

This is one of the questions that I hear quite a bit. Everyone is pretty familiar with when it is legal to pass on the left, but passing on the right brings up more debate.

Statute 346.08 states it is legal to pass on the right if the following is true;

- The passing vehicle must safely remain on the roadway or paved shoulder.
- The conditions permit the movement in safety.
- When the vehicle is overtaken is making or about to make a left turn or U-turn; or
- Upon a street or highway with unobstructed pavement of sufficient width to enable 2 or more lines of vehicles lawfully to proceed, at the same time, in the direction in which the passing vehicle is proceeding; or
- Upon a one-way street or divided highway with unobstructed pavement of sufficient width to enable 2 or more lines of vehicles lawfully to proceed in the same direction at the same time.

One of the most common locations that I see this happening is at the intersection of County Highway A and County Highway E. Here we commonly see vehicles that are about to make a left turn with other motorists passing on the right. Since they are safely on the paved roadway this is legal.

The most important part of this law is to remember that the pass must be done safely. It can be dangerous to pass on any side if you cannot see around the vehicle you are passing. Make sure that you have a clear view of what is coming towards you before you make the decision to pass. Crashes happen in an instant and taking a little time to make sure you make a safe decision could save your life.

**\*Warning\***

Some jurisdictions have local ordinances prohibiting passing on the right in order to protect pedestrians who may be crossing the street. Know the laws or when in doubt just wait.

Captain Chad Enright